

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
May 4, 2010

The City Council convened in Regular Session on Tuesday, May 4, 2010, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Michael Klinghammer presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Larry Muench, Bridget Ohmes, Jerry Reese, Richard Veit, and Michael Weller. Absent: Laurie Feldman, Bob Kneemiller, and Ron Stivison. City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #47279

A motion was made by MICHAEL WELLER to excuse the absences of Councilmembers Laurie Feldman, Bob Kneemiller and Ron Stivison. JERRY REESE seconded the motion. All voted in favor, motion passed.

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by DAVE BECKERING to advance *Item 4.G. Proclamation Proclaiming May 9 Through 16, 2010, as "National Police Week"* on the agenda. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

Proclamation Proclaiming May 9 Through 16, 2010, as "National Police Week"

The Honorable Mayor Patricia M. York announced that the Memorial to Fallen Officers was dedicated today; and read a Proclamation recognizing May 9-16, 2010, as "National Police Week". Police Chief Dennis Corley accepted the Proclamation; and introduced the members of the Police Department in attendance, as follows: Lt. Mike Akers, Officer Mark Grothe, Officer John Greenley, Sgt. George Grove, Sgt. Mike Aulbert, and Officer Ross Riggins. Police Chief Corley also announced the names of the St. Charles Fallen Officers, as follows: 1913 - David Lamb and John Blair; 1976 - Fred Bergman; 1977 - Gary Stroud; and 2008 - Grant Jansen.

PUBLIC HEARINGS

The President of the Council Michael Klinghammer announced that the following Public Hearings would now be held. At the conclusion of the hearings, the Regular Session continued with the order of business:

- A. Case No. CU-12-10. (Children's Home Society). An application for a Conditional Use Permit from §156.026(D)(1)(l) for Group Living Arrangements within the R-1E Single Family Residential District, specifically to expand the use (increase the number of persons serviced) of an existing residential care facility at 2424 Muegge Road. The subject property is 2.42 acres and is located in Ward 5. *(RCA Attached)*

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- B. Case. No. CU-13-10. (Steve Schad). An application for a Conditional Use Permit from §156.094(C) for a Temporary Retail Sales Use within the I-2 Heavy Industrial District, specifically to operate an outdoor snow cone stand at 3779 New Town Boulevard. The subject property is 3.41 acres and is located in Ward 8. ***(RCA Attached)***
- C. Case. No. CU-14-10. (Aunt B's Kettle Corn – Kendall McMahon). An application for a Conditional Use Permit from §156.094(C) for a Temporary Retail Sales Use within the C-3 Highway Business District, specifically to operate an outdoor kettle corn stand at 1365 South Fifth Street (Bass Pro Shops). The subject property is 3.75 acres and is located in Ward 2. ***(RCA Attached)***
- D. Case. No. DR-06-10. An ordinance revising the list of permitted and conditional uses for §156.040 FHCD Frenchtown Historic Commercial District of the St. Charles Code of Ordinances (Zoning Code) and revisions to the design standards for the district. ***(Council Bill 10190)***
- E. Case No. DR-07-10. An ordinance amending Subchapter: Sign Code of the St. Charles Code of Ordinances (Zoning Code) §156.610 et seq. ***(Council Bill 10189)***

AWARDS/PROCLAMATIONS

Retirement Recognition of Harry Fry (Fire Department)

The City Council presented a Certificate of Appreciation to Harry Fry for his 38 years of service with the City (33 years in the Fire Department and 5 years in the Street Division). Fire Chief Ernie Rhodes gave a biography of the employment of Harry Fry.

Proclamation Proclaiming May 2 Through 9, 2010, as "National Music Week"

The Honorable Mayor Patricia M. York read a Proclamation declaring May 2, 2010, through May 9, 2010, as "National Music Week", and encouraged residents to participate in musical activities. Carol Langley and Donna Kinslow, Representatives of "Morning Etude" Music Club, accepted the proclamation.

Proclamation Proclaiming May 7, 2010, as "Public Works Day"

The Honorable Mayor Patricia M. York read a Proclamation declaring May 7, 2010, as Public Works Day. Director of Public Works Debra Aylsworth introduced Public Works Department Employees present, as follows: Kevin Corwin, John Zimmerman, Karen Locke, and Dave Bauman. Chair of the Public Works Day Activities Dave Bauman introduced the Public Works Department Mascot Bear A. Cade; and gave an overview of the activities planned for Public Works Day scheduled for Friday, May 7, 2010, at Mueller Soccer Park.

Proclamation Proclaiming May 8, 2010, as "Letter Carriers Food Drive Day"

The Honorable Mayor Patricia M. York read a Proclamation declaring Saturday, May 8, 2010, as "Letter Carriers Food Drive Day", and urged all citizens to participate in this worthy effort to help the less fortunate in our community. Joe Yochim, National Association of Letter Carriers, accepted the proclamation.

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Proclamation Proclaiming May 2 Through 8, 2010, as "Municipal Clerks Week"

The Honorable Mayor Patricia M. York read a Proclamation declaring May 2, 2010, through May 8, 2010, as Municipal Clerks Week. City Clerk Marilyn McCoy accepted the proclamation on behalf of the City Clerk's Office.

Proclamation Proclaiming May 2 Through 8, 2010, as "Local Government Week"

The Honorable Mayor Patricia M. York read a Proclamation declaring May 2, 2010, through May 8, 2010, as Local Government Week.

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 10186 Pertaining to the Establishment of Minimum Dwelling Sizes in Partially Completed Residential Areas

Stephen Thaler, 1767 Waterfall Drive, spoke in favor of Council 10186. Mr. Thaler presented a copy of the contract entered into with the developer of his subdivision to be copied for the Councilmembers.

PUBLIC COMMENT RELATIVE TO CITY ISSUES

LeAnn Starr, 1155 Jackson, invited residents to attend the Old Town Neighborhood Association of Ward 2 scheduled for Monday, May 10, at Lincoln Elementary Gym at 7:00 p.m.

RESOLUTION

A Resolution Authorizing Submittal of an Application to the St. Charles County Road Board for an Improvement Project in the City of St. Charles, Missouri for 2011, 2012, and 2013 (*I-70 and Cave Springs Interchange Study Project*) (*Sponsor: Jerry Reese*)

Passed "Aye": Reese, Veit, Weller, Beckering, Klinghammer, Muench, and Ohmes
"Nay": None

Absent: Stivison, Feldman, and Kneemiller

Approved by the Honorable Mayor on May 5, 2010, and is known as **Resolution R10-07**

BILLS FOR FINAL PASSAGE

Bill 10107 (Amended)

An Ordinance Amending Section 156.066 Regarding the Historic South Main Preservation District to Establish Noise Control Standards (*Sponsor: Larry Muench*)

A motion was made by LARRY MUENCH to amend Council Bill 10107 by amending Section 156.066(B)(2) by replacing the last sentence which reads "Also, such uses shall exclude live music or dancing on such premises" with the language "Live music amplified by any electronic means is prohibited except as set forth in subsection (F)"; and adding a Subsection (2) to Section 156.066(F) to read as follows: "(2) Amplified live music: (a) Amplified live music may be

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performed if the business owner possesses an amplified live music permit issued at no cost by the Department of Community Development; (b) The live music permit shall be revoked upon the citation of the business owner for a third violation of the noise control standards of paragraph (1)". DAVE BECKERING seconded the motion. All voted in favor, motion passed.

Bill 10157 (Referred to Council Work Session Scheduled for May 11, 2010)

An Ordinance Amending Chapter 156 of the Code of Ordinances by Amending Section 156.034 to Include Certain Auto-Related Land Uses as Permitted and Conditional Uses the C-3 Highway Business District (*Sponsors: Bob Kneemiller and Richard Veit*)

Council Bill 10157 was held pending discussion at the Council Work Session scheduled for May 11, 2010.

Bill 10161

An Ordinance Amending Schedule II, Subsection (A) of Chapter 78 of the Code of Ordinances by Establishing Parking Restrictions Along a Portion of North Third Street (*Sponsors: Richard Veit, Larry Muench, Jerry Reese, Ron Stivison and Michael Klinghammer*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese

"Nay": None

Absent: Stivison, Feldman, and Kneemiller

Approved by the Honorable Mayor on May 5, 2010, and is known as **Ordinance 10-86**

Bill 10162 (Held)

An Ordinance Amending Section 40.23 of the Code of Ordinances Requiring Competitive Bidding with Contract Extensions and Renewals (*Sponsor: Bob Kneemiller*)

A motion was made by RICHARD VEIT to hold Council Bill 10162. JERRY REESE seconded the motion. All voted in favor, motion passed.

Bill 10174

An Ordinance Authorizing a License Agreement with the Norfolk Southern Railway Company for Installation, Maintenance, Operation and Removal of a 24-Inch Ductile Iron Sewage Pipe Encased in a 36-Inch Steel Pipe Located In, Under and Across the Right-of-Way or Property and Any Tracks of Railway at Milepost S-22.05, St. Louis Moberly Line for the Construction of the Adams Street Force Main (*Sponsor: Richard Veit*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese

"Nay": None

Absent: Stivison, Feldman, and Kneemiller

Approved by the Honorable Mayor on May 6, 2010, and is known as **Ordinance 10-87**

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Bill 10175

An Ordinance Amending Chapter 131 of the Code of Ordinances of the City of St. Charles, Missouri by Amending Section 131.10, 131.11, 131.12, 131.13 and 131.14 Pertaining to "Residency, Loitering and Activity Limitations For Certain Offenders" (*Sponsors: Ron Stivison, Richard Veit and Larry Muench*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese
"Nay": None
Absent: Stivison, Feldman, and Kneemiller

Approved by the Honorable Mayor on May 6, 2010, and is known as **Ordinance 10-88**

Bill 10176

An Ordinance Authorizing a Right-of-Way Encroachment License Agreement with Quintessential Dining and Nightlife for the Construction, Operation and Maintenance of a Sidewalk Café Located at 149 North Main Street (*Sponsor: Richard Veit*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese
"Nay": None
Absent: Stivison, Feldman, and Kneemiller

Approved by the Honorable Mayor on May 5, 2010, and is known as **Ordinance 10-85**

Bill 10177

An Ordinance Authorizing a Right-of-Way Encroachment License Agreement with Tony's on Main Street for the Construction, Operation and Maintenance of a Sidewalk Café Located at 132 North Main Street (*Sponsor: Richard Veit*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese
"Nay": None
Absent: Stivison, Feldman, and Kneemiller

Approved by the Honorable Mayor on May 6, 2010, and is known as **Ordinance 10-89**

Bill 10178 (Amended)

An Ordinance Authorizing a Contract with Eastern Missouri Concrete, LLC for Ready-Mix Concrete Supply Services for the Street Division in an Amount Not to Exceed \$115,000.00 (*Sponsor: Larry Muench*)

A motion was made by LARRY MUENCH to amend Council Bill 10178 to reduce the amount of the contract with Eastern Missouri Concrete, LLC from \$115,000.00 to \$105,000.00. DAVE BECKERING seconded the motion. All voted in favor, motion passed.

Bill 10179

An Ordinance Authorizing a Contract with Kelp Contracting, Inc. for the Fifth Street Overpass Slope Repair Project in an Amount Not to Exceed \$315,161.08 (*Sponsors: Dave Beckering and Richard Veit*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese
"Nay": None
Absent: Stivison, Feldman, and Kneemiller

Approved by the Honorable Mayor on May 6, 2010, and is known as **Ordinance 10-90**

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Bill 10180

An Ordinance Authorizing Change Order No. 2 to the Contract with All Type Grading Excavating, Inc. for the Construction of the Pine Street Sanitary Sewer Project in an Amount of \$13,726.20, for a Total Contract Amount Not to Exceed \$113,453.02
(Sponsor: *Dave Beckering*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese
 "Nay": None
 Absent: Stivison, Feldman, and Kneemiller

Approved by the Honorable Mayor on May 6, 2010, and is known as **Ordinance 10-91**

Bill 10181 (Held)

An Ordinance Authorizing a Contract with Tap Utilities, LLC for the Bee-Jay Storm Sewer Project in an Amount Not to Exceed \$226,932.25 (Sponsors: *Michael Klinghammer and Larry Muench*)

A motion was made by RICHARD VEIT to hold Council Bill 10181. JERRY REESE seconded the motion. All voted in favor, motion passed.

Bill 10182 (Held)

An Ordinance Establishing Water Rates, Sewer Rates and Minimum Meter Charges and Establishing Effective Dates of July 1, 2010, January 1, 2011, January 1, 2012, January 1, 2013, January 1, 2014 and January 1, 2015 Thereof (Sponsors: *Richard Veit, Larry Muench, Laurie Feldman, Bob Kneemiller, Mike Weller, Jerry Reese, Mike Klinghammer Ron Stivison, and Bridget Ohmes*)

Council Bill 10182 was held upon the request of President of the Council Michael Klinghammer to refer the vote to a future meeting at which there are less absences.

Bill 10183

An Ordinance Authorizing an Agreement Between the United States of America, Represented by the US Army TACOM Life Cycle Management Command, and the City of St. Charles, Missouri, for Acceptance of a Conditional Deed of Gift of Ceremonial Rifles for the Police Department (Sponsors: *Ron Stivison and Larry Muench*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese
 "Nay": None
 Absent: Stivison, Feldman, and Kneemiller

Approved by the Honorable Mayor on May 6, 2010, and is known as **Ordinance 10-92**

Bill 10184

An Ordinance Authorizing an Agreement By and Between the City of St. Peters, Missouri and the City of St. Charles, Missouri, by and through its Parks and Recreation Board, for Reciprocal Use of the St. Peters Rec-Plex and the St. Charles Blanchette Aquatics Facility, McNair Aquatics Facility and the Wapelhorst Aquatics Facility (Sponsors: *All Members of the City Council*)

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Passed "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese
"Nay": None
Absent: Stivison, Feldman, and Kneemiller
Approved by the Honorable Mayor on May 6, 2010, and is known as **Ordinance 10-93**

Bill 10185

An Ordinance Authorizing an Easement Agreement with the Missouri Department of Natural Resources, Division of State Parks, as Required Before the City Constructs, Operates or Maintains a Public Restroom Facility in Frontier Park (*Sponsors: All Members of the City Council*)

Passed "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese
"Nay": None
Absent: Stivison, Feldman, and Kneemiller
Approved by the Honorable Mayor on May 6, 2010, and is known as **Ordinance 10-94**

Bill 10186 (Substitute Bill No. 1) (Held)

An Ordinance Amending Chapter 156 of the Code of Ordinances by Enacting a New Section To Be Known as Section 156.098 Pertaining to the Establishment of Minimum Dwelling Sizes in Partially Completed Residential Areas (*Sponsors: Bob Kneemiller and Laurie Feldman*)

A motion was made by RICHARD VEIT to hold Council Bill 10186. JERRY REESE seconded the motion. All voted in favor, motion passed.

BILLS FOR INTRODUCTION

The following Council Bills were introduced:

Bill 10187

An Ordinance Authorizing the Appropriation of Not to Exceed \$1,000,000 for the Purpose of Defeating a Portion of the General Obligation Refunding Bonds, Series 2006, of the City of St. Charles, Missouri; and Authorizing Certain Other Documents and Actions in Connection with the Defeasance of Said Bonds (*Sponsor: Michael Klinghammer*)

Bill 10188

An Ordinance Amending Chapter 156 of the Zoning Code of the Code of Ordinances of the City of St. Charles, Missouri by Adding a New Section, to be known as Section 156.098, Pertaining to Commercial Storage Containers (*Sponsors: Jerry Reese and Michael Klinghammer*)

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Bill 10189

An Ordinance Amending Chapter 156 of the Code of Ordinances of the City of St. Charles, Missouri by Amending Sections 156.620, 156.630, 156.703, 156.706, 156.707, 156.711, 156.712, 156.713, 156.714, 156.716, 156.717, 156.720, 156.721, 156.724, 156.725, 156.730, 156.731, 156.732, 156.750, 156.762, 156.765, 156.770, 156.772 and 156.774 Pertaining to Sign Regulations (*Sponsors: Bob Kneemiller, Michael Klinghammer, and Jerry Reese*)

Councilmember Richard Veit requested that his name be added as a sponsor to Council Bill 10189.

Bill 10190

An Ordinance Amending Section 156.040 of the Code of Ordinances Pertaining to Frenchtown Historic Commercial District (FHCD) (*Sponsors: Richard Veit and Michael Klinghammer*)

Bill 10191 (Referred to the Council Work Session Scheduled for May 11, 2010)

An Ordinance Authorizing a Contract with LePique & Orne Architects, Inc., to Provide Additional Architectural and Engineering Services for the Design and Construction of the Public Safety Facility which will Replace Existing Fire Station #4 Located on North Drive, in an Amount Not to Exceed \$301,114.00 (*Sponsors: Richard Veit, Michael Klinghammer, and Ron Stivison*)

Council Bill 10191 was referred to the Council Work Session scheduled for May 11, 2010, upon the request of Mayor Patricia M. York.

Bill 10192

An Ordinance Authorizing a Subrecipient Agreement By and Between the City of St. Charles and Habitat for Humanity of St. Charles County for the Purpose of Conducting a Neighborhood Stabilization Program (*Sponsors: Larry Muench and Richard Veit*)

Bill 10193

An Ordinance Authorizing a Development Agreement By and Between the City of St. Charles and the St. Charles Community Housing Development Organization to Assist the City with the Neighborhood Stabilization Program Property Acquisition (*Sponsors: Larry Muench and Richard Veit*)

Bill 10194

An Ordinance Granting a Variance from the Above Ground Storm Water Detention Requirement of Code Section 151.69(C)(7) for the QuikTrip Corporation Development Located at First Capitol Drive and Sunset Drive (*Sponsor: Larry Muench*)

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Bill 10195

An Ordinance Approving the Record Plat for Subdivision of Part of Lot 3 of the Resubdivision of Regency Plaza Subdivision Plat One, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Jerry Reese*)

Bill 10196

An Ordinance Approving the Record Plat for Koepke Estates, a Subdivision of the City of Saint Charles, Missouri (*Sponsor: Bridget Ohmes*)

Bill 10197

An Ordinance Authorizing a Utility Relocation Agreement and License to Utilize Easement by and between Laclede Gas Company and the City of St. Charles Relating to the Boschertown Road Improvement Project in an Amount Not to Exceed \$105,475.00 (*Sponsor: Michael Klinghammer*)

Bill 10198

An Ordinance Authorizing a Contract with Gerstner Electric, Inc. for the Hackmann Road and Lost Meadow Drive Traffic Signalization Project in an Amount Not to Exceed \$108,961.00 (*Sponsor: Michael Weller*)

Bill 10199

An Ordinance Authorizing a Contract with L. Krupp Construction, Inc. for the Relocation of Boschertown Road Project in an Amount Not to Exceed \$1,633,690.14 (*Sponsor: Michael Klinghammer*)

Bill 10200

An Ordinance Amending Chapter 117 of the Code of Ordinances by Amending Section 117.02(D) Pertaining to Precious Metals and Gems Requirement for Obtaining a Business License (*Sponsor: Michael Klinghammer*)

Bill 10201

An Ordinance Authorizing the First Amendment to the Site Sublease Agreement with New Cingular Wireless PCS, LLC, for Continued Placement of a Communication Facility on a Portion of the City's Property Located at 2817 Elm Street (*Sponsor: Bridget Ohmes*)

Bill 10202

An Ordinance Amending Chapter 33 of the Code of Ordinances by Amending Section 33.205 and Enacting a New Section To Be Known As Section 33.206 Pertaining to Oktoberfest (*Sponsor: Michael Klinghammer*)

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CONSENT AGENDA

Councilmember Richard Veit removed *Item 10.B.2.a.iv. Street Committee Meeting of April 13, 2010 (Motion to Deny the Request to Consider Repealing the No Left Turn Restriction at Benton Avenue and First Capitol Drive; and that the No Left Turn Restriction Remain in Effect at this Intersection in Order to Maintain Safe Vehicular Movement from Benton Avenue) from the Consent Agenda.* A motion was made by LARRY MUENCH to approve the balance of the Consent Agenda. JERRY REESE seconded the motion. A roll call vote was taken, with the following results: "Aye": Veit, Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese. "Nay": None. Absent: Feldman, Kneemiller and Stivison. Motion passed.

- A. Approval of Council Minutes
 - 1. Special Council Meeting of April 13, 2010
 - 2. Public Hearing of April 13, 2010

File #47373

 - 3. Regular Council Meeting of April 20, 2010
 - 4. Public Hearing of April 20, 2010

File #47374

- B. Approval of Council Committee Reports
 - 1. Approval of Council Committee Minutes
 - a. Street Committee Meeting of April 13, 2010

File #47293

 - b. Council Work Session of April 13, 2010 (6:30 p.m.)

File #47292

 - c. Council Work Session of April 13, 2010

File #47292

 - d. Fire Station Design Team Meeting of April 20, 2010

File #47311
 - 2. Approval of Council Committee Motions/Actions/Recommendations
 - a. Street Committee Meeting of April 13, 2010
 - i. Motion to Deny the Request for a Multi-Way Stop; and that the Intersection at Second Street and McDonough Remain a Two-Way Stop
 - ii. Motion to Deny the Request for a Multi-Way Stop Sign; and that the Intersection at 8th Street and Jackson Remain a Two-Way Stop
 - iii. Motion to Deny the Request for the City's Plan to Pursue the Takeover of Old Highway 94 Between Zumbuhl and Pralle
 - iv. Motion to Deny the Request to Consider Repealing the No Left Turn Restriction at Benton Avenue and First Capitol Drive; and that the No Left Turn Restriction Remain in Effect at this Intersection in Order to Maintain Safe Vehicular Movement from Benton Avenue

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REMOVED FROM THE CONSENT AGENDA

- v. Motion to Deny the Request for a Multi-Way Stop at Sixth Street and Adams; and that the Intersection at Sixth Street and Adams Remain a Two-Way Stop
 - vi. Motion to Forward a Request to the Entire City Council to Purchase Two (2) Electronic Radar Speed Signs for the City
 - b. Council Work Session of April 13, 2010 (6:30 p.m.) *(None)*
 - c. Council Work Session of April 13, 2010 *(None)*
 - d. Fire Station Design Team Meeting of April 20, 2010
 - i. Motion to Relocate the Fire Station to the Little Hills Site Due to Development Costs Being Higher than Anticipated
- C. Receipt of Reports from Boards, Commissions or Committees
 - 1. Landmarks Board Meeting of March 15, 2010
File #47314
 - 2. Riverfest Meeting of March 20, 2010
 - a. Motion to Approve the Following Expenditures:
 - i. Balloon Guy - \$720
 - ii. Trash Pick-Up - \$1,500
- File #47318
- D. Receipt of Reports of the Director of Administration
 - 1. Notice of Emergency Purchase
File #47319
 - 2. Request for Council Authorization for Acting Sergeant's Pay
File #47375
 - 3. Request to Fill Vacant Position(s) in the Fire Department
File #47376
 - 4. Request to Fill an Upcoming Vacancy in a Part Time Secretarial Position in the Department of Community Development
File #47377
- E. Approval of Contracts and Easements from \$30,001 - \$99,999
 - 1. Supplemental Agreement No. 4 to the Contract with Farnsworth Group, Inc. for the South Main Street Reconstruction Project (Boone's Lick South to Reservoir Street) in the Amount of \$11,500.00; Total Contract Amount Not to Exceed \$96,990.00
File #47378
 - 2. Supplemental Agreement No. 2 with CDG Engineering/Architect Planners, Inc. for Structural Investigation of Parking Garage Project, Phase Two in the Amount of \$43,372.000
File #47379

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F. Preliminary Plats

1. Approval of the Preliminary Plat for Koepke Estates

File #47380

G. Miscellaneous

1. Receipt of the Veteran's Memorial Parkway Community Improvement District Annual Report for 2009

File #47381

ITEMS REMOVED FROM THE CONSENT AGENDA

Item 10.B.2.a.iv. Street Committee Meeting of April 13, 2010 (Motion to Deny the Request to Consider Repealing the No Left Turn Restriction at Benton Avenue and First Capitol Drive; and that the No Left Turn Restriction Remain in Effect at this Intersection in Order to Maintain Safe Vehicular Movement from Benton Avenue) from the Consent Agenda.

A separate vote was requested by Councilmember Richard Veit on Item 10.B.2.a.iv. A motion was made by DAVE BECKERING to approve the recommendation of the Street Committee to deny the request to consider repealing the No Left Turn Restriction at Benton Avenue and First Capitol Drive; and that the No Left Turn Restriction remain in effect at this intersection in order to maintain safe vehicular movement from Benton Avenue. JERRY REESE seconded the motion. A roll call vote was taken, with the following results: "Aye": Weller, Beckering, Klinghammer, Muench, Ohmes, and Reese. "Nay": Veit. Absent: Feldman, Kneemiller, and Stivison. Motion passed.

REPORT OF THE MAYOR

Budget Amendment No. 4 (Included in Council Bill 10187)

The Honorable Mayor Patricia M. York explained the items included in Budget Amendment #4.

Written and/or Verbal Messages from the Mayor

City Logo. The Honorable Mayor Patricia M. York announced that the new City of St. Charles Logo won the Silver Award in the Summit International Awards, a competition with entries from 24 countries around the world on design of logos.

Public Works Day. The Honorable Mayor Patricia M. York announced that Public Works Day is scheduled for Friday, May 7, 2010, at the Mueller Road Soccer Park.

Mother's Day. The Honorable Mayor Patricia M. York encouraged residents to shop in St. Charles for Mother's Day gifts; and stated that there are many local restaurants offering a Mother's Day Brunch.

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Lindenwood University - J. Scheidegger Center for the Arts. The Honorable Mayor Patricia M. York announced that Lindenwood University will be presenting the following events at the J. Scheidegger Center for the Arts: Rogers & Hammerstein Broadway Review – May 7- 8, 2010; and Nick of Time Players Improv Show - May 11, 2010.

Family Arena. The Honorable Mayor Patricia M. York announced that the Family Arena will be hosting the following events: St. Charles County Spring Garage Sale – May 22, 2010; Weird Al Yankovic – July 12, 2010; and Jeff Dunham – August 19, 2010.

Friday Night Flicks. The Honorable Mayor Patricia M. York announced that the Friday Night Flicks in Frenchtown will show the following movies: Up – May 14, 2010; and The Goonies – May 28, 2010.

Lewis & Clark Heritage Days. The Honorable Mayor Patricia M. York announced that the Lewis & Clark Heritage Days is scheduled for May 15-16, 2010, in Frontier Park.

Historic Children's Festival. The Honorable Mayor Patricia M. York announced that the Historic Children's Festival is scheduled at the First State Capitol during the Lewis & Clark Heritage Days Event.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Written and/or Verbal Messages from the Councilmembers

Prescription Drug Turn-In Program. Councilmember Jerry Reese announced that the Police Department is hosting a Prescription Drug Turn-In Program on May 8, 2010.

Free Yard Waste. Councilmember Larry Muench announced that the Free Yard Waste Pick-Up sponsored by the City is scheduled for May 5, 2010.

TABLED BILLS/PUBLIC HEARINGS

There was no action taken on the tabled Bills.

Bill 10167

An Ordinance Amending Section 150.001 Pertaining to Responsibility for Enforcement of Chapter 150; Amending Section 150.085 Pertaining to Fees to the Board of Appeals; Creating Section 150.004 Pertaining to Board of Appeal Authority; Creating Section 150.005 Pertaining to Building Permit Expiration; Amending Sections 150.015 and 150.016 to Adopt the 2006 Edition of the *International Building Code*; Amending Sections 150.020 and 150.021 to Adopt the 2006 Edition of the *International Residential Code For One- And Two- Family Dwellings*; Amending Sections 150.025 and 150.026 to Adopt the 2006 Edition of the *International Energy Conservation Code*; Amending Sections 150.030 and 150.031 to Adopt the 2006 Edition of the *International Property*

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI
May 4, 2010

Maintenance Code; Amending Sections 150.035 and 150.036 to Adopt the 2006 Edition of the *International Existing Building Code*; Amending Sections 150.040 and 150.041 to Adopt the 2006 Edition of the *International Mechanical Code*; Amending Sections 150.045 and 150.046 to Adopt the 2006 Edition of the *International Fuel Gas Code*; Amending Sections 150.055 and 150.056 to Adopt the 2005 Edition of the *National Electrical Code*; Amending Sections 150.075 and 150.076 to Adopt the 2006 Edition of the of the *International Plumbing Code*; to Make Local Amendments Thereto; and to Provide an Effective Date Thereof (*Sponsor: Larry Muench*) (*Tabled on April 20, 2010, Until July 20, 2010*)

Bill 10171

An Ordinance Amending Sections 95.01 and 95.02 of the Code of Ordinances of the City of Saint Charles Missouri, to Adopt the *International Fire Code*, 2006 Edition (*Sponsor: Larry Muench*) (*Tabled on April 20, 2010, Until July 20, 2010*)

CLOSED SESSION

A roll call vote was taken to adjourn into closed session relative to leasing, purchase or sale of real estate where public knowledge of the transaction might adversely affect the legal consideration therefor (RSMo 610.021.2), with the following results: "Aye": Beckering, Klinghammer, Muench, Ohmes, Reese, Veit, and Weller. "Nay": None. Absent: Feldman, Kneemiller, and Stivison. Motion passed.

The Open Portion of the Regular Council Meeting was adjourned at 8:27 p.m.

May 18, 2010
Date Approved

Marilyn K. McCoy
City Clerk

Michael Klinghammer
Michael Klinghammer, Presiding Officer